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Attorneys for Defendants FELIX INVESTMENTS,
LLC and JOHN BIVONA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

EVAN WEAVER,

Plaintiff,

v.

TAMPA INVESTMENT GROUP, LLC,
HALCYON CABOT PARTNERS LTD.,
FELIX INVESTMENTS, LLC and JOHN
BIVONA,

Defendants.

CASE NO. 5:12-CV-1117 EJD (PSG)

**NOTICE OF MOTION AND MOTION TO
WITHDRAW AS COUNSEL OF RECORD
PURSUANT TO L.R. 11-5**

Date: June 4, 2015
Time: 9:00 AM
Dept. 4, 5th Floor
Judge: Honorable Edward J. Davila

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD: NOTICE IS HEREBY
GIVEN THAT on June 4, 2015, at 9:00 AM, or as soon thereafter as the matter may be heard in
Department 4, of the above-entitled Court, we will move this Court for an order relieving The
Leventhal Law Firm, APC and its attorneys as counsel of record for Defendant Felix Investments,
LLC (the "Client").

MOTION

The grounds for this motion are as follows:

1. The Leventhal Law Firm, APC worked actively on the Client's behalf in this matter, including without limitation preparing and filing numerous pleadings, participating in mediation, and participating in discovery.

2. The Leventhal Law Firm, APC has discussed this withdrawal with the Client and has explained the Client's options. The Leventhal Law Firm, APC has notified the Client of L.R. 3-9, that the entity may only appear through a member of the bar of this Court.

3. Because revealing the facts and details on which this motion is based would involve disclosure of client confidences, The Leventhal Law Firm, APC represents and certifies to the Court that good grounds for withdrawal exist under one or more of the grounds specified in California Code of Professional Responsibility, Rule 3-700(C).

4. If the Court insists on a further factual showing as a condition of granting this motion, The Leventhal Law Firm, APC will supply the Court with a declaration that is sealed and shown only to the client and the Court, or will testify in chambers in a hearing attended only by the Court, The Leventhal Law Firm, APC, the Client, and the court reporter, with the transcript to be sealed until further order of the Court, or whatever other method is acceptable to the Court that will not breach client confidences.

5. As explained in the Declaration of Joseph S. Leventhal filed with this motion, the Client was served with a copy of this motion in the best possible manner by mail and e-mail.

6. If this motion is granted, the Client may be served with notices and papers at Felix Investments, LLC, 600 East Crescent Avenue, Suite 205, Upper Saddle River, New Jersey, 07458-1846.

SUPPORTING PAPERS

This motion is based on the pleadings and papers on file in this action, this Notice of Motion and Motion, the Declaration of Joseph S. Leventhal, and whatever evidence and argument is presented at the hearing of this motion.

DATED: April 14, 2015

THE LEVENTHAL LAW FIRM, APC

By: /s/Joseph S. Leventhal

JOSEPH S. LEVENTHAL (221043)

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Attorneys for Defendants
FELIX INVESTMENTS, LLC and JOHN
BIVONA